



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE

Department of Toxic Substances Control

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\$193,715 Settlement Reached with PG&E on Diablo Canyon Power Plant

Berkeley --- The California Department of Toxic Substances Control (DTSC) today announced that it has reached a \$193,715 settlement with Pacific Gas and Electric (PG&E) for hazardous waste violations at its [Diablo Canyon Power Plant in Avila Beach, San Luis Obispo County](#).

Under terms of the consent order signed on April 9, 2003, PG&E will pay a penalty of \$193,715, of which \$32,655 represents costs incurred by DTSC in conducting the enforcement action and \$161,060 is a civil penalty. The consent order is viewable on the DTSC website at www.dtsc.ca.gov.

"The settlement is a result of a joint effort by DTSC and the State Attorney General's Office," said Ed Lowry, DTSC Director. "It requires that PG&E maintain the proper financial standards mandated by State hazardous waste regulations and increases safety at the facility."

The settlement stems from violations revealed during an inspection in April 2001 and a records review in May and August of 2001 conducted by DTSC's Statewide Compliance Division. DTSC inspectors noted the following violations:

- Failure to provide financial assurance required by DTSC to ensure the availability of funds needed to cover costs incurred to close the facility
- Failure to provide required financial assurance to cover bodily injury or property damage to third parties that may be caused by accidents at the facility
- Failure to maintain required information in the facility's Operating Record including: description and quantity of hazardous waste received; methods and dates of transfer, treatment, storage, or disposal of hazardous waste at the facility; specific location of hazardous waste at the facility; and discrepancies in waste manifests:
- Failure to provide adequate aisle space to allow unobstructed movement of fire protection equipment, spill control equipment, and decontamination equipment
- Failure to keep containers of hazardous wastes closed
- Failure to maintain accurate inspections records
- Treatment of hazardous waste in an unauthorized unit

As a result of the settlement, PG&E cannot treat any hazardous waste and/or radioactive-contaminated hazardous wastes that are not listed in the DTSC approved hazardous waste facility permit and operation plan for the Diablo Canyon facility.

PG&E continues to operate the Diablo Canyon Power Plant, a nuclear-powered steam electric generating station, since filing for Chapter 11 bankruptcy in April 2001. Although the violations stated above have been corrected at the Diablo Canyon facility, DTSC is not limited from taking appropriate enforcement actions against PG&E for future violations at this facility.

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The Department of Toxic Substances Control's mission is to restore, protect, and enhance the environment and ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

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"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov."